

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF CALIFORNIA
San Francisco Venue

FILED

NOV 29 2007
RICHARD W. WILKING

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Petition for Summons for Offender Under Supervision

Name of Offender: Charles Lezine Docket No.: CR 07-00740-01 MJJ

Name of Sentencing Judge: Ann C. Williams
United States District Judge

Date of Original Sentence: June 5, 1997

Original Offense:

Count One: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1), a Class A felony

Original Sentence:

Special Conditions: Fine \$5000; drug/alcohol treatment

Prior Form(s) 12:

On September 8, 2007, a petition was filed in the Northern District of Illinois requesting a warrant be issued for the offender's arrest, based on the conduct alleged in Charges One and Two reported below.

On October 26, 2007, the offender appeared in custody before United States Magistrate Judge Wayne D. Brazil and Mr. Lezine was placed at Cornell Corrections in Oakland pending transfer of jurisdiction.

Jurisdiction was transferred to the Northern District of California on November 20, 2007.

On November 26, 2007, the offender appeared before United States Magistrate Judge Brazil for a status hearing. As he had left the Residential Reentry Center in Oakland without permission as alleged in Charge Three, Mr. Lezine was ordered to be placed on Electronic Monitoring pending the hearing before Your Honor.

Type of Supervision: Supervised Release
Assistant U.S. Attorney: Maureen Bessette

Date Supervision Commenced: February 10, 2006
Defense Counsel: Joyce Leavitt (AFPD)

Petitioning the Court

Take notice of the charges alleged in the petition at the hearing scheduled before the Court, on November 29, 2007.

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<u>Charge Number</u>	<u>Violation</u>
One	<p>There is probable cause to believe that the offender violated standard condition number six requiring the offender to notify the probation officer within seventy-two hours of any change of residence.</p> <p>Specifically, the offender failed to report that he moved to 46 Edgewater Place in Pittsburg. I received documents from the Alameda Department of Child Support Services that reported an address of 46 Edgewater Place in Pittsburg, CA, 94565, for the offender. Mr. Lezine failed to respond to numerous phone messages, appointment letters, and an appointment card left with a resident at 46 Edgewater Place.</p>
Two	<p>There is probable cause to believe that the offender violated the special condition that states he is to pay a \$5000 fine.</p> <p>On June 5, 1997, the Court ordered the offender to pay a \$5,000 fine. According to the United States District Court Clerk in the Northern District of Illinois, the offender has failed to make any payments while on supervision. He made payments in the amount of \$2,610.14, while in the custody of the Bureau of Prisons.</p>
Three	<p>There is probable cause to believe the offender violated the standard condition that he not commit another federal, state, or local crime.</p> <p>On October 26, 2007, Mr. Lezine was placed at the Residential Reentry Center in Oakland, by United States Magistrate Judge Wayne D. Brazil pending transfer of jurisdiction. On November 23, 2007, Mr. Lezine failed to return from his employment as scheduled, in violation of 18 U.S.C. § 402 - Contempt. He did return to the facility on November 24, 2007, to retrieve his personal belongings. This information was reported by the facility director, Matthew Lange.</p>

Address of offender: 46 Edgewater Place
Pittsburg, CA 94565

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Based on the foregoing, there is probable cause to believe that Charles Lezine violated the conditions of his supervision.

Respectfully submitted,



Mark Unalp
U.S. Probation Officer

Date Signed: November 27, 2007

Approved as to form:



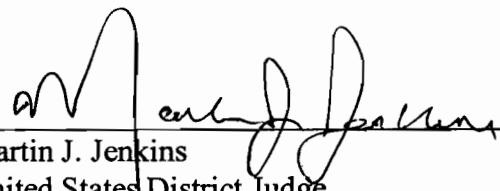
Daniel Zurita
Supervisory U.S. Probation Officer

Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and:

- Takes notice of the charges alleged in the petition. A hearing is scheduled before the Court on November 29, 2007.
- Other:

Date

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Martin J. Jenkins
United States District Judge

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Date

Martin J. Jenkins
United States District Judge